

**ZONING**  
**Town of Wawayanda Zoning Law**  
**Schedule of Zoning District Regulations**  
**AP Agricultural Preservation**

<b>District Intent</b>	<b>Principal Permitted Uses</b>	<b>Site Plan Approval</b>	<b>Accessory Uses</b>	<b>Development Standards</b>
<p><b>AP Agricultural Preservation</b>                      This district is intended to provide an environment that will protect the black dirt region within the Town by restricting nonagricultural activity and by permitting very low-density residential development.</p>	<p>Agriculture as defined by New York State Department of Agriculture and Markets                      Agriculture, livestock (2 acres or more)                      Agriculture, nurseries and greenhouses without retail                      Agriculture, warehousing/wholesaling farm/nursery products                      Agricultural, tourism activities on ongoing farm operations                      One-family dwellings                      Two-family dwellings                      Wireless communication facility, minor</p>	<p>Agriculture research/development laboratories                      Agriculture, on-farm food processing activities with wholesale and retail trade areas of less than 10,000 sq. ft. in gross floor area                      Home Occupation, minimal impact                      Housing for migratory workers                      Offices (Less than 10,000 square feet)</p> <hr/> <p style="text-align: center;"><b>Special Use</b></p> <hr/> <p>Accessory apartments                      Agriculture structures – Reuse                      Agriculture, retail sale of farm, nursery, and related products (max. 20,000 sq. ft.)                      Animal Hospital/Kennels                      Essential Services                      Forestry, commercial                      Home Occupation, other                      Outdoor Storage/Display                      Recreation, Indoor                      Recreation, Outdoor                      Stables/Riding Academics                      Summer Camps/Campground                      Wireless communication facility, major</p>	<p>Barns, silos, produce storage and Packing warehouses                      Buildings for storage                      Greenhouses                      Maintenance, repair and storage of machinery                      Off-street parking                      Other structures customarily accessory to permitted principal or special uses.                      Satellite stations/satellite antennas                      Seasonal roadside stand                      Signs                      Swimming Pools</p>	<p>Minimum lot area: 4 acres                      Minimum lot width: 200 feet                      Minimum yards:                      Front: 50 feet                      Side: 50 feet                      Both sides: 100 feet                      Rear: 50 feet                      Maximum building height: 35 feet                      Maximum lot coverage: 30%                      Maximum building coverage: None</p> <p>NOTE: Development standards applicable to agriculture and certain special uses such as residential cluster developments/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup></p>

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**AB Agricultural Business District**

<b>District Intent</b>	<b>Principal Permitted Uses</b>	<b>Site Plan Approval</b>	<b>Accessory Uses</b>	<b>Development Standards</b>
<p><b>AB Agricultural Business District</b>                      This district is intended to encourage the perpetuation of the agricultural upland areas adjoining the black dirt region by permitting uses related directly to and in support of agricultural activities. Low-density residential uses will be permitted.</p>	<p>Agriculture as defined by New York State Department of Agriculture and Markets                      Agriculture, nurseries and greenhouses without retail                      Agriculture, retail sale of farm, nursery, and related products (max. 20,000 sq. ft.)                      Agriculture, tourism activities on ongoing farm operation                      One-family dwellings                      Two-family dwellings                      Offices (agriculture-related)                      Wireless communication facility, minor</p>	<p>Agriculture, warehousing/wholesaling farm/nursery products                      Bank/Financial Institution                      Construction Yard                      Home Occupation, minimal impact                      Offices</p>	<p>Barns, silos, produce storage and Packing warehouses                      Buildings for storage                      Greenhouses                      Maintenance, repair and storage of machinery                      Off-street parking                      Other structures customarily accessory to permitted principal or special uses.                      Satellite stations/satellite antennas                      Seasonal roadside stand                      Signs                      Swimming Pools</p>	<p>Minimum lot area: 2 acres (3 acres for two-family dwellings)                      Minimum lot width:                      With central sewer or water: 100 feet                      Without central sewer or water: 150 feet                      Minimum yards:                      Front: 40 feet                      Side: 20 feet                      Both sides: 45 feet                      Rear: 30 feet                      Maximum building height: 35 feet                      Maximum lot coverage: 50%                      Maximum building coverage: None</p> <p>NOTE: Development standards applicable to agriculture and certain special uses such as residential cluster developments/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup></p>
		<p><b>Special Use</b></p>		
		<p>Accessory apartments                      Agriculture research/development laboratories                      Agriculture, on-farm food processing activities with wholesale and retail trade areas of less than 20,000 sq. ft. in gross floor area                      Agricultural structures-Reuse                      Animal Hospitals/Kennels                      Bed &amp; Breakfast                      Cemetery                      Daycare, preschool, nursery                      Essential Services                      Forestry, commercial                      Home Occupation, other                      Housing for migratory workers                      Mining/Excavation                      Outdoor Storage/Display                      Places of worship ie. church, mosque, synagogue                      Recreation, Indoor                      Recreation, Outdoor                      Recreation, Commercial                      Wireless communication facility, major</p>		

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**SR Suburban Residential**

<b>District Intent</b>	<b>Principal Permitted Uses</b>	<b>Site Plan Approval</b>	<b>Accessory Uses</b>	<b>Development Standards</b>
<p><b>SR Suburban Residential</b>                      This district generally provides the primary residential area of the Town. It provides a range of housing types able to be served publicly approved central water and sewer systems capable of being integrated with a public system and located in areas easily accessible to the regional transportation system and planned for higher density residential development.</p>	<p>Agriculture as defined by New York State Department of Agriculture and Markets                      Agriculture, nurseries and greenhouses without retail                      Agriculture, tourism activities on ongoing farm operation                      One-family dwellings                      Two-family dwellings                      Wireless communication facility, minor</p>	<p>Agriculture, on-farm food processing activities with wholesale and retail trade areas of less than 10,000 sq. ft. in gross floor area                      Agriculture, retail sale of farm, nursery, and related products (max. 20,000 sq. ft.)                      Home Occupation, minimal impact</p>	<p>Barns, silos, produce storage and packing warehouse                      Accessory garages, sewage treatment plants, pump houses and water towers                      Greenhouses                      Maintenance, repair and storage of machinery                      Off –street parking                      Other structures customarily accessory to permitted principal or special uses                      Recreation facilities                      Satellite stations/satellite antennas                      Swimming Pools</p>	<p>Minimum lot area:                      With central sewer or water: 1 acre, 1.5 acres for two-family dwellings                      Without central sewer or water: 2 acres, 3 acres for two-family dwellings                      Minimum lot width:                      With central sewer or water: 75 feet                      Without central sewer or water: 150 feet                      Minimum yards:                      Front: 30 feet                      Side: 20 feet                      Both sides: 45 feet                      Rear: 30 feet                      Maximum building height: 35 feet                      Maximum lot coverage: 30%                      Maximum building coverage: 20%</p> <p>NOTE: Development standards applicable to agriculture and certain Special uses such as residential cluster developments/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup></p>
		<p><b>Special Use</b></p>		
		<p>Accessory apartments                      Agriculture, warehousing/wholesaling farm/nursery products                      Agricultural structures-Reuse                      Agriculture, livestock (2 acres or more)                      Bed &amp; Breakfast                      Cemetery                      Daycare, preschool, nursery                      Essential Services/Utilities                      Forestry, commercial                      Home Occupation                      Hospitals, nursing homes, and convalescent homes                      Multi-family dwellings                      Places of Worship ie, churches, mosque, synagogue                      Residential Cluster Development                      Recreation, Commercial                      Stables/Riding academies                      Wireless communication facility, major</p>		

**ZONING**  
**Town of Wawayanda Zoning Law**  
**Schedule of Zoning District Regulations**  
**TC Town Commercial District**

District Intent	Principal Permitted Uses	Special Use	Accessory Uses	Development Standards
<p><b>TC Town Commercial District</b>                      This district is to provide a wide range of commercial uses, including office and retail uses, to serve the town.</p>	<p>Agriculture as defined by NYS Department of Agriculture and Markets                      Agriculture, nurseries and greenhouses without retail</p>	<p>Agriculture, livestock (2 acres or more)                      Agriculture structures-Reuse                      Animal Hospitals/Kennels                      Bed &amp; Breakfast                      Cemetery                      Essential Services/Utilities                      Forestry, commercial                      Funeral Homes                      Home Occupation, other                      Hospitals, nursing homes and convalescent homes                      Hotel/Conference Center                      Mining/Excavation                      Motel                      Motor Vehicle sales and service                      Offices and General Retail (Over 10,000 sq. ft.)                      Outdoor Storage/Display                      Places of worship ie. church, mosque, synagogue                      Recreation, Indoor                      Recreation, Outdoor                      Recreation, Commercial                      Retail, Large-product                      Services, Business or Personal (Over 10,000 sq. ft.)                      Studios providing training and music, art and dance related activities                      Warehouse, storage and distribution facilities</p>	<p>Barns, silos, product storage and packing warehouses                      Off-street parking                      Satellite stations/satellite antennas                      Signs</p> <p>The following uses accessory only to a residential use if it exists prior to enactment of this chapter:                      Greenhouses                      Home Occupations                      Other structures customarily accessory to permitted principal or special uses                      Swimming pools</p>	<p>Minimum lot area: 1 acre                      Minimum lot width: 100 feet                      Minimum yard:                      Front: 50 feet                      Side: 15 feet                      Both sides: 35 feet                      Rear: 30 feet                      Maximum building height: 45 feet                      Maximum lot coverage: 70%                      Maximum building coverage: 50%</p> <p>NOTE: Development standards applicable to agriculture and certain Special uses such as residential cluster developments/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup></p>
	<p style="text-align: center;"><b>Site Plan Approval</b></p> <p>Agriculture, on-farm food processing activities with wholesale and retail trade areas of less than 10,000 sq. ft. in gross floor area                      Agriculture, retail sale of farm, nursery, and related products (max. 20,000 sq. ft.)                      Agriculture, tourism activities on ongoing farm operation                      Agriculture, warehousing/ wholesaling farm/nursery products                      Bank/Financial Institution                      Construction Yard                      Dwelling, one unit in nonresidential building (mixed-use)                      Food/Services, Business (Less than 10,000 sq. ft.)                      Home Occupation, minimal impact                      Light Manufacturing                      Research Development Lab                      Restaurant, Fast Food                      Restaurant or Bar, Non-Fast                      Services, Business or personal (Less than 10,00 sq. ft.)</p>			

ZONING

Town of Wawayanda Zoning Law  
 Schedule of Zoning District Regulations  
 RH Rural Highway

District Intent	Principal Permitted Uses	Site Plan Approval	Accessory Uses	Development Standards
<p><b>RH – Rural Highway</b>                      This district is intended to provide small scale commercial uses along designated transportation and commercial corridors in the town, along with compatible residential development.</p>	<p>Agriculture as defined by NYS Department of Agriculture and Markets                      Agriculture, nurseries and greenhouses without retail                      One-Family dwellings                      Two-Family dwellings</p>	<p>Agriculture, on-farm food processing activities with wholesale and retail trade areas of less than 10,000 sq. ft. in gross floor area                      Agriculture, retail sale of farm, nursery, and related products (max. 20,000 sq. ft.)                      Agriculture, tourism activities on ongoing farm operation                      Bank/Financial Institution                      Construction yard                      Dwelling, one unit nonresidential building (mixed use)                      Home Occupation, minimal impact                      Offices and General Retail (Less than 10,000 sq. ft.)                      Restaurant, fast Food                      Restaurant or Bar, Non-Fast Food Services, Business or personal (Less than 10,00 sq. ft.)</p> <hr/> <p style="text-align: center;"><b>Special Use</b></p> <hr/> <p>Agriculture, livestock (2 acres or more)                      Agriculture, warehousing/wholesaling farm/nursery products                      Agricultural structures – Reuse                      Animal Hospitals/Kennels                      Bed &amp; Breakfast                      Daycare, Preschool, Nursery School                      Essential Services/Utilities                      Forestry, commercial                      Home Occupation, other                      Offices and General Retail (Over 10,000 sq. ft.)                      Outdoor Storage/Display                      Places of worship ie. church, mosque, synagogue                      Recreation, Indoor                      Recreation, Outdoor                      Recreation, Commercial                      Services, Business or Personal (Over 10,00 sq. ft.)</p>	<p>Barns, silos, product storage and packing warehouses                      Limited warehousing associated with wholesale trade                      Off-street parking                      Outdoor displays of merchandise                      Satellite stations/satellite antennas                      Signs</p>	<p>Minimum lot area: 1 acre                      Minimum lot width: 100 feet                      Minimum yards:                      Front: 50 feet                      Side: 15 feet                      Both sides: 35                      Rear: 30                      Maximum building height: 45 feet                      Maximum lot coverage: 70%                      Maximum building coverage: 50%</p> <p>NOTE: Development standards applicable to agriculture and certain Special uses such as residential cluster developments/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup></p>

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**MC – Mixed Commercial District**

District Intent	Principal Permitted Uses	Site Plan Approval	Accessory Uses	Development Standards
<p><b>MC – Mixed Commercial</b>                      This District is intended to provide the Town with a principal area for intensive non-residential development such as office, retail, service businesses and manufacturing.</p> <p>NOTE: MC-1 and MC-2 Districts are identical excepting that adult uses shall be permitted in MC-2 Districts.</p>	<p>Agriculture as defined by NYS Department of Agriculture and Markets                      Agriculture, nurseries and greenhouses without retail                      Wireless communication facility, minor</p>	<p>Agriculture, on-farm food processing activities with wholesale and retail trade areas of less than 10,000 sq. ft. in gross floor area                      Agriculture, retail/wholesale, sale of farm, nursery, and related products                      Agriculture, tourism activities on ongoing farm operation                      Agriculture, warehousing/ wholesaling farm/ nursery products                      Dwelling, one unit in nonresidential building (mixed use)                      Essential Services/Utilities                      Home Occupation, minimal impact                      Industrial Uses                      Light Manufacturing                      Offices and General Retail                      Research/development laboratories                      Retail, Large-product                      Restaurant, Fast Food                      Restaurant or Bar, Non-Fast Food Services, Business or Personal                      Warehouse, storage and distribution facilities, wholesale operations</p> <p style="text-align: center;"><b>Special Use</b></p> <p>Adult uses -MC-2 District                      Agriculture, livestock (2 acres or more)                      Bed &amp; Breakfast                      Daycare, Preschool, Nursery School                      Hotel/Conference Center                      Mining                      Motel                      Recreation, Commercial                      Recycling Facility                      Vehicle Services                      Wireless communication facility, major</p>	<p>Barns, silos, produce storage and packing warehouses                      Off-street parking                      Satellite stations/satellite antennas                      Signs                      Home Occupation, other</p> <p>The following uses accessory only to a residential use if it existed prior to enactment of this chapter:                      Greenhouses                      Other structures customarily accessory to permitted principal or special uses                      Swimming pools</p>	<p>Minimum lot area: 2 acres                      Minimum lot width: 100 feet                      Minimum yards:                      Front: 50 feet                      Side: 15 feet                      Both sides: 35 feet                      Rear: 30 feet                      Maximum building height: 65 feet                      Maximum lot coverage: 70%                      Maximum building coverage: 50%</p> <p>NOTE: Development standards applicable to agriculture and certain Special uses such as residential cluster developments/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup></p>

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**AR Agricultural Residential**

District Intent	Principal Permitted Uses	Site Plan Approval	Accessory Uses	Development Standards
<p><b>AR Agricultural Residential</b>                      This district is intended to accommodate residential development that is compatible with the rural qualities of the town and that may coexist with existing agricultural activities throughout this district.</p>	<p>Agriculture as defined by NYS Department of Agriculture and Markets                      Agriculture, livestock (2 or more acres)                      Agriculture, nurseries and greenhouses without retail                      Agriculture, retail sale of farm, nursery and related products (max. 20,000 sq. ft.)                      Agricultural, tourism activities on ongoing farm operation                      Home occupation, minimal impact                      One-Family dwellings                      Two-Family dwellings                      Wireless communication facility, minor</p>		<p>Barns, silos, produce storage and packing warehouses                      Buildings for storage                      Greenhouses</p>	<p>Minimum lot area: 2 acres (3 acres for two-family dwellings)                      Minimum lot width:                      With central sewer or water: 100 feet                      Without central sewer or water: 150 feet</p>
		<b>Special Use</b>	<p>Maintenance, repair and storage of machinery                      Off-street parking                      Other structures customarily accessory to permitted principal or special uses                      Satellite stations/satellite antennas                      Seasonal roadside stand                      Signs                      Swimming Pools</p>	<p>Without central sewer or water: 150 feet</p>
		<p>Accessory Apartments                      Agriculture, on-farm food processing activities with wholesale and retail trade areas of less than 20,000 sq. ft. in gross floor area                      Agriculture, warehousing/ wholesaling farm/nursery products                      Agricultural structures – Reuse                      Animal Hospitals/kennels                      Bed &amp; Breakfast                      Cemetery                      Daycare, preschool, nursery                      Essential Services/Utilities                      Forestry, commercial                      Home Occupation, other                      Hospitals, nursing homes, and convalescent homes                      Housing for migratory workers                      Places of worship ie. church, mosque, synagogue                      Recreation, Commercial                      Residential Cluster Development                      Stables/riding academies                      Summer Camp/campgrounds                      Wireless communication facility, major</p>	<p>Minimum yards:                      Front: 40 feet                      Side: 20 feet                      Both sides: 45 feet                      Rear: 20 feet                      Maximum building height: 35 feet                      Maximum lot coverage: 30%                      Maximum building coverage: None</p>	

NOTE: Development standards applicable to agriculture and certain special uses such as residential cluster development/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup>

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**HAMLET**

<b>District Intent</b>	<b>Principal Permitted Uses</b>	<b>Site Plan Approval</b>	<b>Accessory Uses</b>	<b>Development Standards</b>			
<p><b>Hamlet</b>                      This district is to provide a mix of residential uses and compatible commercial uses on a small scale intended primarily to service that locality and that generate limited vehicular traffic.</p>	<p>Agriculture as defined by NYS Department of Agriculture and Markets                      Agriculture, nurseries and greenhouses without retail                      One-family dwelling                      Wireless communication facility, minor</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="810 358 1241 708"> <p>Bank/Financial Institution                              Dwelling, one unit in nonresidential building (mixed use)                              Home occupation, minimal impact                              Offices (Less than 10,000 sq. ft.)                              Retail, General (Less than 10,000 sq. ft.)                              Restaurant or Bar, Non-Fast Food Services, Business or Personal (Less than 10,000 sq. ft.)</p> </td> </tr> <tr> <td data-bbox="810 708 1241 756" style="text-align: center;"><b>Special Use</b></td> </tr> <tr> <td data-bbox="810 756 1241 1130"> <p>Accessory apartments                              Agriculture, livestock (2 acres or more)                              Bed &amp; Breakfast                              Cemetery                              Daycare, Preschool, nursery school                              Essential Services/Utilities                              Home Occupation, other                              Offices (Over 10,000 sq. ft.)                              Outdoor Storage/Display                              Places of worship ie. church, mosque, synagogue                              Services, Business (Over 10,000 sq. ft.)</p> </td> </tr> </table>	<p>Bank/Financial Institution                              Dwelling, one unit in nonresidential building (mixed use)                              Home occupation, minimal impact                              Offices (Less than 10,000 sq. ft.)                              Retail, General (Less than 10,000 sq. ft.)                              Restaurant or Bar, Non-Fast Food Services, Business or Personal (Less than 10,000 sq. ft.)</p>	<b>Special Use</b>	<p>Accessory apartments                              Agriculture, livestock (2 acres or more)                              Bed &amp; Breakfast                              Cemetery                              Daycare, Preschool, nursery school                              Essential Services/Utilities                              Home Occupation, other                              Offices (Over 10,000 sq. ft.)                              Outdoor Storage/Display                              Places of worship ie. church, mosque, synagogue                              Services, Business (Over 10,000 sq. ft.)</p>	<p>Barns, silos, produce storage and packing warehouses                      Greenhouses                      Off-street parking                      Other structures customarily accessory to permitted principal or special uses                      Satellite stations/satellite antennas                      Signs                      Swimming pools</p>	<p>Minimum lot area:                      With central sewer or water: 0.5 acre                      Without central sewer or water: 1 acre                      Minimum lot width:                      With central sewer or water: 75 feet                      Without central sewer or water: 100 Feet                      Minimum yards:                      Front : 20 feet                      Side: 15 Feet                      Both sides : 35 feet                      Rear: 15 feet                      Maximum Building Height: 35 feet                      Maximum Lot Coverage: 70%                      Maximum Building Coverage: 50%</p> <p>Note: Development standards applicable to agriculture and certain special uses such as residential cluster development/subdivisions may differ from above. See Supplemental Regulations<sup>1</sup></p>
<p>Bank/Financial Institution                              Dwelling, one unit in nonresidential building (mixed use)                              Home occupation, minimal impact                              Offices (Less than 10,000 sq. ft.)                              Retail, General (Less than 10,000 sq. ft.)                              Restaurant or Bar, Non-Fast Food Services, Business or Personal (Less than 10,000 sq. ft.)</p>							
<b>Special Use</b>							
<p>Accessory apartments                              Agriculture, livestock (2 acres or more)                              Bed &amp; Breakfast                              Cemetery                              Daycare, Preschool, nursery school                              Essential Services/Utilities                              Home Occupation, other                              Offices (Over 10,000 sq. ft.)                              Outdoor Storage/Display                              Places of worship ie. church, mosque, synagogue                              Services, Business (Over 10,000 sq. ft.)</p>							